

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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LIVINGSTON, HILL & ABRAHAMI,	:	
LLC, WANNA.B, INC., DAVID	:	
ABRAHAMI, amd DORON ABRAHAMI,	:	
	:	
Plaintiffs,	:	
	:	Civil Action No. 04-2810 (JAP)
-v-	:	
	:	OPINION AND ORDER ADOPTING
HOWARD B. COHEN, FANDANGO, and	:	REPORT AND RECOMMENDATION
WAL-MART,	:	OF THE MAGISTRATE JUDGE
	:	
Defendants.	:	
_____	:	

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Howard B. Cohen
Fandango
P.O. Box 57
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Pro se

PISANO, District Judge

This matter having come before the Court on the Report and Recommendation of United States Magistrate Judge Madeline Cox Arleo, filed July 22, 2005; and the Court having received no objections; and the Court having reviewed the Report and Recommendation and other documents on file in this matter; and

There being no express requirement that a district court conduct a specific review of a magistrate judge's recommendations where no objections are filed, *see Thomas v. Arn*, 474 U.S.

140, 150 (1985); however, in complying with the Third Circuit's request that district courts "give some reasoned consideration to the magistrate's report before adopting it as the decision of the court," *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987); and

After thorough review of the findings of facts and conclusions of law in the report and recommendation; and it appearing to the Court that Mr. Cohen was given the maximum benefit of the Court's leniency; and it further appearing that Mr. Cohen continually failed to appear before the Court and otherwise exhibited a lack of good faith in moving this litigation forward; and having reviewed Plaintiffs' motion to strike Mr. Cohen's answer and enter default against him and Defendant Fandango; and having considered the proper authority for taking such action under *Hoxworth v. Robinson*, 980 F. 2d 912 (3d Cir. 1992); **IT IS**

ON this 3rd day of August 2005

ORDERED that the Report and Recommendation of Magistrate Judge Arleo, filed July 22, 2005, (1) recommending that Defendants' Answer be stricken and (2) Plaintiffs' Motion for Entry of Default be granted, is hereby **ADOPTED** as the findings of fact and conclusions of law of this Court. Also on recommendation from Magistrate Judge Arleo, Plaintiffs are directed to file within thirty (30) days the appropriate documents to secure default judgment in accordance with Federal Rule of Civil Procedure 55(b).

s/ Joel A. Pisano
JOEL A. PISANO, U.S.D.J.

Orig. Clerk
cc: Honorable Madeline Cox Arleo
All Parties